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September 20, 2016

BY ECF

Hon. Richard J. Sullivan, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: *Castelan-Hilario, et al. v. Vida Café Inc., et al.***  
**Case No. 15-CV-2015 (RJS) (HP)**

Dear Judge Sullivan,

We are counsel to the plaintiffs in the above-referenced matter. In accordance with the Court's August 31 and September 20, 2016 Orders, kindly accept this letter as plaintiffs' status report.

Out the outset, we apologize to the Court for not submitting this letter by the September 14, 2016 deadline as set forth in the Court's Order. It was an inadvertent oversight, and not an intentional failure to abide by the Court's Orders. Accordingly, we respectfully request that the Court not sanction plaintiffs or their attorney for this error.

With respect to Vida Café's bankruptcy, pursuant to Bankruptcy Rule 3003(c)(3), all persons that asserted a claim against Vida Café prior to the filing of its bankruptcy petition must file a proof of claim with the Bankruptcy Court on or before October 31, 2016. To fully protect their rights, and to ensure that, to the extent a distribution to creditors is approved as part of the bankruptcy plan, Plaintiffs intend to file their proof of claims with the Bankruptcy Court and will do so well in advance of this deadline.

Meanwhile, the parties remain in contact with Vida Café's bankruptcy counsel and are engaging in discussions to determine whether there is a way that plaintiffs' claims against the debtor can be resolved in a way that is satisfactory to both the Bankruptcy Court and this Court. Therefore, we ask that the Court continue to stay the action and trial as against Vida Café while these discussion are ongoing.

We will keep the Court apprised of all future developments with another status report on or before September 29, 2016 and every fifteen (15) days thereafter.

We thank the Court for its continued attention to this matter.

Respectfully submitted,

  
Justin Cilenti

cc: Kevin B. Faga, Esq. (by ECF)

The Court finds that sanctions are not warranted at this time. As previously ordered, Plaintiffs shall file another status letter by September 29, 2016, and every fifteen (15) days thereafter.

SO ORDERED

Dated:

9/21/16

  
RICHARD J. SULLIVAN  
U.S.D.J.

MEMO ENDORSED

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